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#0367038

July 29, 1980

REGISTERED - RETURN RECEIPT REQUESTED

Mr. John Huefner
Kaiser Steel Corporation
P.O. Box D
Sunnyside, Utah 84539

RE: Kaiser Steel Corporation
Sunnyside Mine
ACT/007/007
Carbon County, Utah

Dear Mr. Huefner:

This letter is to cite violations of the Division's interim period enforcement regulations observed by Mary Kay Stein during the June 24, 1980 inspection of the Sunnyside Mine Complex. Minimum requirements for the alleviation of the cited violations are included. However, these are meant as minimum requirements, and for the most part are by no means the only alternative available.

Violation #1, Rule MC 717.17 General - Failure to conduct mining operations so as to minimize disturbance of the prevailing hydrologic balance. Portion of the operation to which the notice applies - The area near the manshaft pertaining to eroded areas on banks between the parking lot and diversion ditch leading to the sediment pond.

Violation #2, Rule MC 717.17(j) - Failure to construct, maintain and reclaim access and haul roads in order to prevent additional contributions of suspended solids into the streamflow. Portion of the operation to which the notice applies - Access road leading to the manshaft area.

Violation #3, Rule MC 717.20 - Failure to regrade, distribute topsoil and revegetate the area no longer required for mining operations. Portion of the operation to which the notice applies - The washout culvert area and old access road to sedimentation pond.

Violation #4, Rule MC 717.17(a) - Failure to pass all surface drainage from the disturbed area through a sedimentation pond or a series of sedimentation ponds prior to leaving the permit area. Portion of the operation to which the notice applies - Berm or ditch surrounding the main parking lot area.

Violation #5, Rule MC 717.17(k) - Failure to construct, maintain and reclaim railroad loops, spurs, conveyors or other transport facilities in order to prevent additional contributions of suspended solids to streamflow. Portion of the operation to which the notice applies - The bridge used by Sunnyside Mine for transportation of people and/or coal from the mine entry to the shop area.

Violation #6, Rule MC 717.11(a) - Failure to comply with the performance standards set by the regulatory authority for all underground coal mining and associated operations. Portion of the operation to which the notice applies - The three borrow pit sites located near or beside waste disposal areas.

Violation #7, Rule MC 717.11(b) - Failure to have for inspection current permits, licenses, approved plans or other authorizations to operate the mine. Portion of the operation to which the notice applies - Waste disposal area.

Violation #8, Rule MC 717.17(a) - Failure to pass all surface drainage from the disturbed area through a sedimentation pond or a series of sedimentation ponds prior to leaving the permit area. Portion of the operation to which the notice applies - The Slaughter Canyon Portal site; the entire pad area.

Violation #9, Rule MC 717.17(c) - Failure to divert overland flow from disturbed area in order to minimize erosion and to prevent or remove water from contacting toxic-production deposits as required by the regulatory authority by means of temporary or permanent diversion structures. Portion of the operation to which the notice applies - Slaughter Canyon Portal area.

Violation #10, Rule MC 717.17(j) - Failure to construct, maintan and reclaim access and haul roads in order to prevent additional contributions of suspended solids to the streamflow. Portion of the operation to which the notice applies - Slaughter Canyon Portal access road.

Kaiser Steel Corporation is hereby directed to abate the above-cited violations within the specified time period from receipt of this letter. At a minimum, abatement should consist of the following:

Abatement measure #1 - Rework diversion ditch between the parking lot and downslope so as to minimize the formation of gullies and erosion by directing runoff to the diversion ditch via rip-rapped channels with energy disapators installed at the base where channels join the sedimentation pond diversion ditch. Implement straw bales around diesel fuel and oil storage building. Abatement time - 60 days (August 30, 1980).

Abatement measure #2 - Repair and maintain breech in berm along the roadway. Abatement time - 30 days (July 30, 1980).

Abatement measure #3 - Pull the banks back to the original contour and reseed. Remove the old culverts from the stream. (Note: The area upstream with a clogged culvert also needs attention). Abatement time - 30 days (July 30, 1980).

Abatement measure #4 - Repair and maintain berm on ditch in order to direct water into existing ponds. Submit plans to the Division for permanent runoff and sediment control for parking lot and shop facility area. Abatement time - 30 days (July 30, 1980).

Abatement measure #5 - Prevent coal from entering the stream through holes in grating of bridge. Abatement time - 60 days (August 30, 1980).

Abatement measure #6 - Submit to the Division a mine plan addressing the mentioned areas for compliance under the interim regulatory program. Abatement time - 30 days (July 30, 1980).

Abatement measure #7 - Obtain proper permits from the Utah State Health Department. Abatement time - 2 weeks (July 11, 1980).

Abatement measure #8 - Install proper drainage control in order to comply under the interim regulatory program. Abatement time - 90 days (September 30, 1980).

Abatement measure #9 - Construct a temporary or permanent diversion structures after submitting plans to the Division of Oil, Gas and Mining for approval. Abatement time - 90 days (September 30, 1980).

Abatement measure #10 - Repair and maintain access road to portal in order to control runoff. Abatement time - 90 days (September 30, 1980).

If the violations are not abated in the specified time, the matter will be referred to the Attorney General for commencement of administrative proceedings before the Board of Oil, Gas and Mining. However, if Kaiser Steel Corporation feels with good cause that these items are not violations, or that alternative methods can satisfy the abatement requirements, Kaiser Steel Corporation may meet with the Division concerning the matter and/or apply for a hearing before the Board. This action should be taken prior to the directed abatement deadline.

The June 24, 1980 inspection and subsequent notice of violations were under the rules and regulations of the interim regulatory period. The Division, at this time, advises Kaiser Steel Corporation that all coal mines must comply with the permanent regulatory program standards; with permanent program applications due within two months and have new approved permits within eight months of Office of Surface Mining approval of the State Program.

Sincerely,

Mary Kay Stein

MARY KAY STEIN
RECLAMATION OFFICER
AND

Denise A. Dragoo

DENISE A. DRAGOO
SPECIAL ASSISTANT ATTORNEY GENERAL
FOR NATURAL RESOURCE AGENCIES

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